

12-0-0702

(Do Not Write Above This Line)

AN ORDINANCE U-12-12
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-18L.007 (3) (a) for a Special Use Permit for Outdoor amusement enterprises, exhibits, entertainment, meetings, displays, or sales area, or outdoor areas for religious ceremonies 90 days or more days duration, located at 316 MAPLE N.E., fronting approximately 101 feet on the east side of Maple Drive and approximately 182 feet south of Peachtree Road. Depth: varies. Area: approximately 0.636. Land Lot 61. 14th District, Fulton County, Georgia.
OWNER: SHAW T. AMISON
APPLICANT: HOYT TOMMY SMITH
APU B
COUNCIL DISTRICT 7

ADOPTED BY
As Amended

AUG 2 0 2012

CONSENT REFER COUNCIL

REGULAR REPORT REFER

ADVERTISE & REFER

1st ADOPT 2nd READ & REFER

PERSONAL PAPER REFER

Date Referred 5/21/12

Referred To: ZRB + Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Zoning
Date Aug 20 2012
Chair As Amended
Referred To ZRB + Zoning

Committee Zoning
Date Aug 20 2012
Chair As Amended

Action
Fav, Adv, Hold (see rev. side)
Other AS AMENDED

Members
[Signatures]

Refer To

Committee
Date
Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee
Date
Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee
Date
Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote FC Vote

CERTIFIED
AUG 2 0 2012
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
AUG 2 0 2012
Rosalyn Dandridge Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
AUG 2 9 2012
WITHOUT SIGNATURE
BY OPERATION OF LAW



Municipal Clerk
Atlanta, Georgia

12-O-0702

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-12-12

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-18L.007 (3) (a) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Outdoor amusement enterprises, exhibits, entertainment, meetings, displays, or sales area, or outdoor areas for religious ceremonies 90 days or more days duration is hereby approved. Said use is granted to **HOYT TOMMY SMITH** and is to be located at **3161 MAPLE N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 61, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description or survey/map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED *as amended* by the Council
APPROVED as per City Charter Section 2-403

AUG 20, 2012
AUG 29, 2012



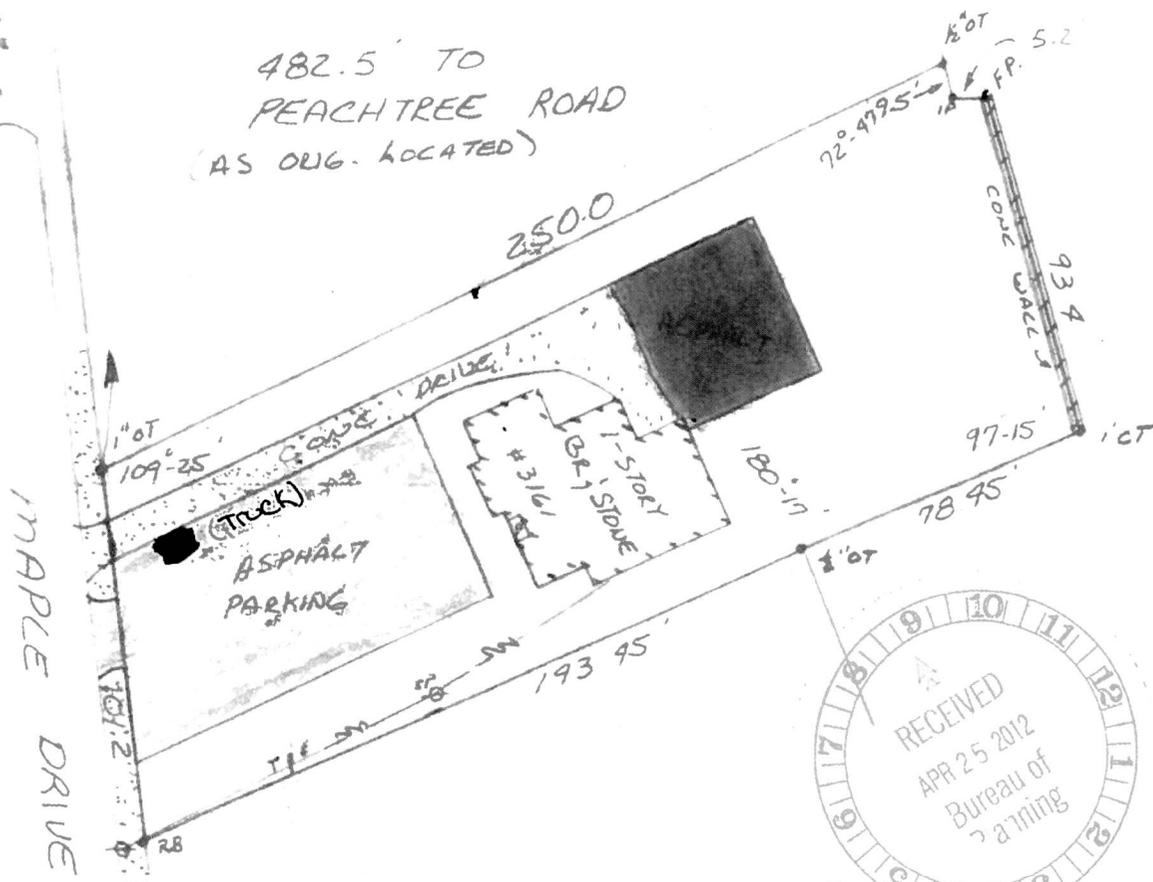
Conditions for U-12-12 for 3161 Maple Drive, N.E.

1) The special use permit shall be valid only as long as Mr. Hoyt Smith is the operator.

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED PARCEL (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.



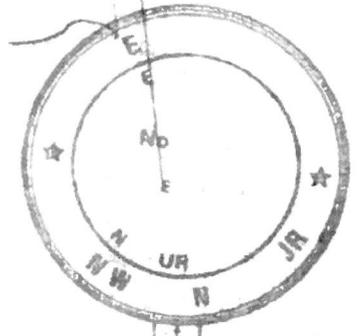
482.5' TO PEACHTREE ROAD (AS ORIG. LOCATED)



27,744 Sq. Ft. U-12-012

NOT FOR RECORDING

NOT FOR RECORDING



John *Stangor*

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR
MEMBER SURVEYING & MAPPING SOCIETY OF GEORGIA
MEMBER AMERICAN CONGRESS ON SURVEYING & MAPPING

**** PLAT CERTIFICATION NOTICE ****
This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed person, persons, or entity without express recertification by the surveyor naming said person, persons, or entity.

≡ ALL MATTERS OF TITLE ARE EXCEPTED. ≡

IMPROVEMENT SURVEY FOR :

LAND LOT 61			17 TH DISTRICT		
FULTON COUNTY, GEORGIA					
PART OF					
LOTS 9 & 10		BLK		UNIT. SECT.	
SUB. WALTON REALTY COMPANY PROPERTY					
DATE 1-3-86			SCALE 1" = 50'		
SOLAR LAND SURVEYING COMPANY					
P.O. BOX 723993					
ATLANTA, GA. 30339-0993			Ph. 425-8677		



LEGAL DESCRIPTION

**3161 Maple Drive
Atlanta, Georgia**

All that tract or parcel of land lying and being in Land Lot 61, 17th District, Fulton County, Georgia being parts of Lots 9 and 10 of the Walton Realty Company Property as shown on that improvement survey prepared for Jamison Shaw, prepared by Solar Land Surveying Company, certified by John W. Stanzilis, Jr., Georgia Registered Land Surveyor No. 2109, dated January 3, 1986, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at the intersection of the southern right-of-way of Peachtree Road and the eastern right-of-way of Maple Drive; thence in a southerly direction along the eastern right-of-way of Maple Drive a distance of 482.5 feet to a one inch open top pipe, said point being the TRUE POINT OF BEGINNING:

FROM SAID TRUE POINT OF BEGINNING, continuing thence in a southerly direction along the eastern right-of-way of Maple Drive a distance of 101.2 feet to a rebar found; leaving said right-of-way, thence in a northeasterly direction a distance of 193.45 feet to a crimp top pipe found; thence in a northerly direction a distance of 93.7 feet to a fence post; thence in a westerly direction a distance of 5.2 feet to an iron pin found; thence in a northerly direction a distance of 9.5 feet to an open top pipe found; thence in a southwesterly direction a distance of 250.0 feet to a one inch open top pipe found on the eastern right-of-way of Maple Drive, said point being the TRUE POINT OF BEGINNING; containing 27,744 square feet and being improved property known as 3161 Maple Drive according to the current system of numbering houses in the City of Atlanta, Georgia

whd, ii
4/17/2012



U-12-012

RCS# 2218
8/20/12
4:15 PM

Atlanta City Council

MULTIPLE

12-O-0701/12-O-0702/11-O-0541
AND 12-O-0847
ADOPT AS AMNDED

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 1

Y Smith	B Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	NV Bottoms	NV Willis
Y Winslow	E Adrean	Y Sheperd	NV Mitchell

MULTIPLE